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7
8 Attorneys for Defendant
9 PUBLIC KEY PARTNERS

FILED

AUG 18 1994

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

RECEIVED

AUG 16 1994

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10 RICHARD W. WIEKING
11 CLERK, U.S. DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 ROGERS SCHLAFLY,

14 Plaintiff,
15 v.
16 Defendants.

No. C 94 20512 QVT SW

DECLARATION OF THOMAS R. HOGAN
IN SUPPORT OF APPLICATION AND
ORDER EXTENDING TIME TO PLEAD

I, THOMAS R. HOGAN, declare:

1. I am an attorney duly licensed to practice before all
Courts in the State of California and am attorney of record for
defendant PUBLIC KEY PARTNERS.

2. On August 12, 1994, our office was retained by defendant
PUBLIC KEY PARTNERS to represent its interests with regard to the
above-captioned matter.

3. Defendant was served on or about July 27, 1994, with the
Complaint in this matter. A responsive pleading to this Complaint
must be filed no later than Tuesday, August 16, 1994.

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1 4. I placed a telephone call to the number listed in the
2 Summons as that of Plaintiff, 408-476-3550 on Monday, August 15,
3 1994, to ascertain whether or not Plaintiff would be willing to
4 stipulate to an extension of time for defendant PUBLIC KEY
5 PARTNERS to respond. The call was answered by a recording
6 identifying the number as that of Plaintiff and requesting that a
7 message be left in his absence. I left a message on the answering
8 machine identifying myself and asking that Plaintiff return my
9 call.

10 5. I had my office redial Plaintiff's number at
11 approximately 3:30 p.m. on Monday, August 15, 1994, again to
12 request that a stipulation be entered into for an extension of
13 time within which Defendant could respond. Again, a message was
14 left on Plaintiff's answering machine. A message was also left
15 indicating that Defendant PUBLIC KEY PARTNERS would be filing this
16 Application and Declaration seeking an Order from this Court for
17 an extension of time to plead.

18 6. As of the time of the filing of this declaration, my
19 office has not received any contact from Plaintiff with regard to
20 a stipulation or opposition to this extension.

21 I declare under penalty of perjury under the laws of the
22 State of California that the foregoing is true and correct.

23
24 Dated: August 16, 1994


THOMAS R. HOGAN

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